

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

Pamela Collins,)	
)	
Plaintiff,)	
)	
v.)	No. 3:10-CV-451
)	
Mountain Laurel Assurance Company,)	
)	
Defendant.)	

AMENDED COMPLAINT

Comes the Plaintiff, by and through counsel, pursuant to Rule 15 of the *Federal Rules of Civil Procedure*, and amends her Complaint as follows:

1. The Plaintiff, Pamela Collins, is a citizen and resident of Union County, Tennessee, residing at 5507 Maynardville Highway, Maynardville, Tennessee 37807.
2. At all times material herein, the Defendant, Mountain Laurel Assurance Company, was a foreign corporation from the State of Ohio. This foreign corporation at all times herein material was doing business in Tennessee. The registered authorized agent for service of process is the Commissioner of Insurance, 500 James Robertson Parkway, Volunteer Plaza, 5th Floor, Nashville, Tennessee 37243.
3. At all times material herein, the Plaintiff had in effect an insurance policy with the Defendant, specifically insuring a 1998 Dodge Durango.

4. At all times material herein, the Defendant issued an insurance policy with a citizen and resident of Union County, Tennessee, concerning vehicles registered in Union County, Tennessee, and the Defendant knew the vehicles would be placed in commerce on the highways of Union County, Tennessee; and thus had contacts and was doing business in Union County, Tennessee.

5. On or about the 24th day of November 2008, Plaintiff's insured vehicle was involved in an automobile accident and sustained damages.

6. The Plaintiff has given notice of the incident in question and refuses to pay coverage under the referenced policy.

7. The Plaintiff has made claim and demanded payment under such policy, and is entitled compensation and relief.

8. The Plaintiff has performed all obligations under the terms of the contract, and the Defendant willfully fails and refuses to pay for such damages.

9. Because of Defendant's willful refusal to comply with the terms of the contract, the Plaintiff has suffered damages.

10. Plaintiff further avers that the employment and use of the unfair and deceptive acts and practices described herein above were willful and knowing on the part of the Defendant such that the Court should award treble damages as called for in Tenn. Code Ann. § 47-18-109 (a) (3).

11. The Plaintiff reserves the right to amend the Complaint to conform to the evidence as hereinafter discovered.

WHEREFORE, Plaintiff, Pamela Collins, demands judgment against the Defendant for damages in the sum of \$24,500.00, prejudgment interest, costs, attorney fees, and other incidental and consequential damages. The Plaintiff further prays for an award of treble damages pursuant to statute. The Plaintiff further requests a jury to try this cause of action.

Respectfully submitted this the 8th day of April, 2011.

PAMELA COLLINS

By: /s/ Dirk A. Daniel
Dirk A. Daniel, BPR# 020710
Attorney for the Plaintiff
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing Motion was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

This 8th day of April, 2011.

/s/ Dirk A. Daniel
Dirk A. Daniel

